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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/612,213	07/03/2003	Robert A. Lewandowski		5732

7590

10/19/2005

Robert J. Bird  
86 French Road  
Rochester, NY 14618

EXAMINER
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HSU, RYAN

ART UNIT	PAPER NUMBER
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3714

DATE MAILED: 10/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/612,213	LEWANDOWSKI, ROBERT A.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Ryan Hsu	3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 03 July 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 1-3, 5-11, and 13-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Stockdale et al. (USPN 6,503,147 B1).**

Regarding claim 1 and 9, Stockdale et al. disclose an universal serial bus (USB) game machine for removable connection to a personal computer (PC) through a USB port of a computer to enable a game machine to operate with PC software on a computer and to enable games on a PC software to interact with input/output functions of a game machine including: a controller chip for connection to a USB port to process input functions to a computer and output functions from a computer (*see abstract, col. 3: ln 20-42, col. 4: ln 33-53*); an input function transmitter operatively connected to a controller chip to transmit input functions to a controller chip; and an output function receiver operatively connected to a controller chip to transmit input functions to a controller chip (*see master gaming controller [200] of Fig. 2 and the related description thereof*); and an output function receiver operatively connected to a controller chip to receive output functions from a controller chip (*see HUB[220] of Fig. 2 and Master Controller Communication [306] of Fig. 3 and the respective related descriptions thereof*). Additionally,

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Stockdale discloses a game machine that is enabled to operate with PC software on a computer and games on a PC software are enabled to interact with input/output functions of a game machine (*see col. 2: ln 33-62, col. 2: ln 63-col. 3: ln 42*).

Regarding claims 2 and 10, Stockdale disclose an USB game machine wherein an input function transmitter includes a coin/token input sensing device (*see coin acceptor [28] and bill validator [30] of Fig. 1 and the related description thereof*).

Regarding claims 3 and 11, Stockdale disclose an USB game machine wherein an input function transmitter includes a front panel button control switch (*see button panel [218], player-input switch [32] of Fig. 1-2 and the related description thereof*).

Regarding claims 5 and 13, Stockdale disclose an USB game machine wherein an input function transmitter includes a magnetic card reading device (*see card reader [26] of Fig. 1 and the related description thereof*).

Regarding claims 6 and 14, Stockdale disclose an USB game machine wherein an output function receiver includes a coin-dispensing driver (*see master gaming controller [200] and coin hopper [212] of Fig. 2 and the related description thereof*).

Regarding claims 7 and 15, Stockdale disclose an USB game machine wherein an output function receiver includes button on-off lights (*see col. 6: ln 1-15, col. 11: ln 25-42*).

Regarding claims 8 and 16, Stockdale disclose an USB game machine wherein an output function receiver includes magnetic card data storage (*see player card [20] of Fig. 1 and the related description thereof, fixed memory [310] of Fig. 3 and the related description thereof, col. 10: ln 32-56*).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 4 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stockdale et al. as applied to claims above, and further in view of LeStrange et al. (US 5,371,345).**

Regarding claims 4 and 12, Stockdale teaches the implementation of game machine that uses the USB protocol to communicate with all of its peripheral devices and pass signals for the operation of a game stored in memory. One of the inputs that the controller receives implements a run switch (*see panel buttons [32] of Fig. 1 and the related description thereof*). However, Stockdale is silent with regards to the implementation of a pull-down arm run switch.

LeStrange et al teaches in an analogous game machine that communicates with a central data system the implementation of a pull-down arm handle. LeStrange teaches how the implementation of the pull-down arm switch is common and well known in the art of gaming machines (*see handle [22] of Fig. 1 and the related description thereof*). One would be motivated to implement the pull-down arm handle as it attracts customers as a way to connect the advance electrical game machines of the present with the old mechanical game machines of the past. Therefore it would be obvious to one of ordinary skill in the art at the time of the invention to implement a pull-arm handle with the USB game machine features of Stockdale.

### ***Conclusion***

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The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Miura (US 6,354,943 B1)** – Game System and Information Storage Medium.

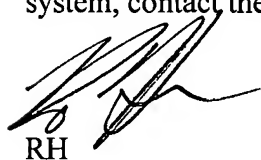
**Acres (US 6,254,483 B1)** – Method and Apparatus for Controlling the Cost of Playing an Electronic Gaming Device.

**Canterbury et al. (US 6,117,010)** – Gaming Device with a Serial Connection.

Any inquiry concerning this communication or earlier communication from the examiner should be direct to Ryan Hsu whose telephone number is (571)-272-7148. The examiner can normally be reached on M-F 8:30 AM - 5:00 PM.

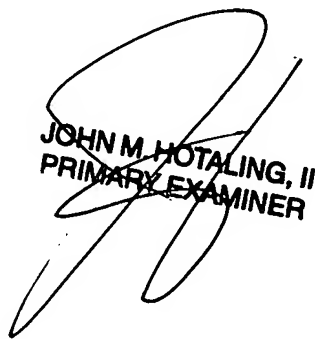
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cheryl J Tyler can be reached at (571)-272-4834.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, contact the Electronic Business Center (EBC) at 1-866-217-9197 (toll-free).



RH

October 17, 2005



JOHN M. HOTALING, II  
PRIMARY EXAMINER